

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION

**Jerold S. Solovy,**

Plaintiff,

V.

**FedEx Ground Package System, Inc.**, a Delaware Corporation; **Federal Express Corporation**, a Delaware Corporation; **FedEx Custom Critical, Inc.**, a Delaware Corporation; **FedEx Kinko's Office and Print Service, Inc.**, a Delaware Corporation; **FedEx Corp.**, a Delaware Corporation; **FedEx Corporate Services, Inc.**, a Delaware Corporation,

Defendants.

Case No. **07 CV 6721**

Judge Virginia M. Kendall

Mag. Judge Martin C. Ashman

## MOTION TO ENLARGE TIME

Defendants, Federal Express Corp. and FedEx Ground, by their undersigned counsel, hereby move this Court to enlarge the time to respond to Plaintiff's First Amended Complaint. In support, Defendants state:

1. On February 21, 2008, this Court issued an amended minute order granting Plaintiff leave to file an amended complaint, and on the same day, Plaintiff filed his First Amended Complaint.

2. Defendant's responsive pleading is due to be filed on March 5, 2008 under Federal Rules of Civil Procedure 15 and 6.

3. Plaintiff has indicated a desire to file a Second Amended Complaint, dropping some defendants and making some other charges. Defendants have agreed to

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certain statute of limitations waivers and to provide a Rule 26 initial disclosure before Plaintiff seeks leave to file this amended complaint. The Defendant's initial Rule 26 disclosures will be served in the next day or two.

4. In light of the foregoing, and to eliminate the need to respond to a likely to be superseded pleading, Defendants request a brief extension to Monday, March 17, 2008, to answer or otherwise plead to the First Amended Complaint.

5. Plaintiff's counsel has indicated that it agrees to the instant motion.

**WHEREFORE**, Defendants request an enlargement of time to March 17, 2008 to respond to the First Amended Complaint.

Respectfully submitted,

O'Hagan Spencer, LLC

/s Patrick J. Keating  
Counsel for Defendants

Patrick J. Keating, ARDC No. 6211380  
Edward C. Eberspacher, ARDC No. 6286085  
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**CERTIFICATE OF SERVICE**

I hereby certify that on March 6, 2008, a copy of foregoing **Motion to Enlarge Time**, was filed electronically and served by e-mail to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's CM/ECF System.

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/s Patrick J. Keating

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